

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 026923-000200US	
I hereby certify that this correspondence is being transmitted to the USPTO via EFS-Web on <u>December 28, 2010</u> Signature <u>Joy A. Roeder</u> Typed or printed name <u>Joy A. Roeder</u>		In re Application of <u>KENNETH F. BINMOELLER et al.</u> <hr/> Application Number <u>10/822,138</u> Filed <u>April 12, 2004</u> <hr/> For AUTOMATED TRANSLUMINAL TISSUE TARGETING AND ANCHORING DEVICES AND METHODS <hr/> Art Unit <u>3773</u> Examiner <u>Mark F. Mashack</u>	

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 540

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 270

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 20-1430.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

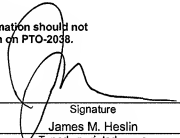
I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☒ attorney or agent of record.
Registration number 29,541

☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. _____



 Signature
James M. Heslin
 Typed or printed name

 650-326-2400
 Telephone number

 Dec. 28, 2010
 Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 forms are submitted.